



# State Senator Tom Weatherwax

## 2004 Indiana Voter Referendums

### How is the Indiana Constitution Amended?

- Changes to the state's constitution must be approved by two separately elected, consecutive Indiana General Assemblies.

In the 2002 legislative session, the General Assembly passed three proposed amendments to the Indiana Constitution.

They deal with succession of the Governor, elimination of the inventory tax, and dates on which county officers begin their terms. In 2003, the new legislature also passed those amendments.



- If both assemblies agree, the change is voted upon in the next general election. This is known as a "referendum."

This November, the three proposed amendments will appear on the general election ballot. If a majority of voters approve the changes, the amendment becomes part of the constitution.

### Why Does the Constitution Need To Be Changed?

#### • PUBLIC QUESTION #1

The constitution currently allows the General Assembly to make property tax exemptions for property being used for municipal, educational, and other charitable purposes; tangible personal property other than property being held for sale; and intangible personal property. It also may exempt any motor vehicles, mobile homes, airplanes, boats, trailers or similar property, provided that an excise tax is substituted.

The General Assembly needs the power to exempt other things such as inventory and residences in order to draw businesses to the state and also provide relief to homeowners.

#### • PUBLIC QUESTION #2

The constitution does not currently grant permission for the General Assembly to set the dates for beginning terms of county officers, such as clerk and sheriff, for a uniform schedule of starting dates across the state. Currently, some county officials must wait up to 18 months to take office after being elected.

#### • PUBLIC QUESTION #3

The Indiana Constitution states that the General Assembly must meet within 48 hours to elect a new governor if both the governor and lieutenant governor are unable to fulfill their duties. If the General Assembly cannot meet in that time, no succession order exists.

This amendment states an order of succession for the governor and provides a deadline for the legislature to meet.

### How Will the Questions Appear on the Ballot?

#### • PUBLIC QUESTION #1

"Shall Article 10, Section 1 of the Constitution of the State of Indiana be amended to allow the General Assembly to make certain property exempt from property taxes, including (1) a homeowner's primary residence; (2) personal property used to produce income; and (3) inventory?"

#### • PUBLIC QUESTION #2

"Shall Article 6, Section 2 of the Constitution of the State of Indiana be amended to allow the General Assembly to establish a uniform date for the beginning of the terms of the county offices of clerk of the circuit court, auditor, recorder, treasurer, sheriff, coroner, and surveyor?"

#### • PUBLIC QUESTION #3

"Shall Article 5, Section 10 of the Constitution of the State of Indiana be amended to specify: (1) which state official acts as governor when the office of governor and the office of lieutenant governor are both vacant; and (2) the deadline for the General Assembly to meet when either the House or the Senate cannot assemble a quorum within forty-eight (48) hours after both offices become vacant?"